

900 KAR 6:030. Certificate of Need expenditure minimums.

RELATES TO: KRS 216B.015

STATUTORY AUTHORITY: KRS 194A.030(1)(c)4, 216B.040(3)(a), 216B.130

NECESSITY, FUNCTION, AND CONFORMITY: KRS 216B.040(3)(a) authorizes the Cabinet for Health and Family Services to promulgate administrative regulations. KRS 216B.130 requires the cabinet to promulgate an administrative regulation to annually adjust expenditure minimums provided in KRS Chapter 216B. This administrative regulation provides for the adjustment of expenditure minimums for capital expenditures and major medical equipment.

Section 1. Price Index. The U.S. Department of Commerce, Bureau of Economic Analysis Price Indexes for Private Fixed Investment by Type shall be used in making annual adjustments to the expenditure minimums required by KRS 216B.130.

Section 2. Expenditure Minimums Based on 2013 Change in Price Indexes. (1) The capital expenditure minimum established in KRS 216B.015(8) shall be \$2,913,541.

(2) The major medical equipment minimum established in KRS 216B.015(17) shall be \$2,913,541.

Section 3. Annual Adjustments of Expenditure Minimums. (1) Beginning July 1, 2015, the cabinet shall annually adjust the capital expenditure minimum and the major medical equipment expenditure minimum on July 1 based on the change in the price index referenced in Section 1 of this administrative regulation for the previous twelve (12) month period ending December 31.

(2) The annual adjustments of the expenditure minimums shall be available by July 1 for the previous twelve (12) month period on the Office of Inspector General, Division of Certificate of Need Web site at <https://chfs.ky.gov/agencies/os/oig/dcn>. (37 Ky.R. 2762; 38 Ky.R. 21; 8-5-2011; 38 Ky.R. 21; 696; 922; eff. 11-16-2011; 39 Ky.R. 856; eff. 12-11-2012; 40 Ky.R. 175; eff. 9-18-2013; 41 Ky.R. 190; eff. 9-17-2014; TAm eff. 3-17-2020; 47 Ky.R. 1682, 2591; eff. 6-16-2021.)